

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated July 26, 2005. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-11 were pending in this application. Claims 12-19 are previously withdrawn. Claims 20-28 are added by this amendment. Claims 1, 6, and 25 are independent claims. The specification is amended herein to correct clerical errors and errors in form noted upon review of the specification. Entrance of the amendments to the specification is respectfully requested.

In the Office Action, Claims 1-11 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,597,374 to Baker ("Baker") in view of U.S. Patent No. 6,877,096 to Chung ("Chung").

Baker shows a remote control 10 for controlling a plurality of controllable devices (see, FIGs. 1 and 2, abstract, and Col. 3, lines 29-30). The remote control 10 includes "a database of code sets 37 associated with various types and brands of devices ..." (See, Col. 4, lines 17-18.) The Office Action relies on these code sets as showing the "at least two objects" of Claim 1 however, this

reliance is misplaced. In Baker, the code sets 37 are used by "[t]he controller 42 [to] controls operation of the light source 44 in a manner well known to those skilled in the art to encode commands for the controllable devices 40A-40C." (See, Col. 4, lines 33-35.) In other words, the code sets 37 are the codes for controlling other devices, namely the controllable devices 40A-40C.

Similarly, Chung shows a series of disks 120, which upon introduction within a device 100, determines a capability level to which a client (another device) is entitled (see, FIG. 2, and Col. 4, lines 62-67). "In a game context, each disc may correspond to a different weapon ..." (Emphasis provided, see, Col. 5, lines 2-3.) "In a database context, ... each disc corresponding to a separate database," (Emphasis provided, see, Col. 5, lines 4-6.)

The apparatus of Claim 1 is not anticipated or made obvious by the teachings of Baker in view of Chung. For example, Baker in view of Chung does disclose or suggest, an apparatus that amongst other patentable elements, comprises (illustrative emphasis provided) "at least one transmitter operatively associated with said at least two objects and responsive to a mechanical state of said at least two objects such that a control signal is transmitted

to said receiver corresponding to an operation to be performed on at least one of said data sets and responsive to at least the other of said data sets, said controller being programmed to perform said operation" as required by Claim 1, and as substantially required by each of Claims 6 and 25.

Based on the foregoing, the Applicants respectfully submit that independent Claims 1, 6, and 25 are patentable over Baker in view of Chung and notice to this effect is earnestly solicited. Claims 2-5, 7-11, 20-24 and 26-28 respectively depend from one of Claims 1, 6, and 25 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims.

For example, Baker in view of Chung does not disclose or suggest:

wherein said at least two objects are tokens connected together by one of a chain, a wire, string, and a filament, as required by Claim 20, and as substantially required by Claim 26, FIG. 3 of Chung merely shows internal interconnections within a disc (see, Col. 2, lines 31-32);

wherein one of said two objects is a soft bead comprising a pressure sensitive switch, as required by Claim 23; and

wherein said one of said two objects comprises a scrollable display, wherein said pressure sensitive switch is configured to scroll said scrollable display if pressure is applied to said pressure sensitive switch, as required by Claim 24, and as substantially required by Claim 28.

Accordingly, separate consideration and allowance of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due for entrance of the accompanying amendment. However, in the event that any additional fees or charges are required for

entrance of the accompanying amendment, they may be charged to applicant's representatives Deposit Account No. 50-3649.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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